

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael A. Schultz et al.)
Application No. 10/043,414)
Filed: January 10, 2002) Group Art Unit: 1712
For: WAX-IMPREGNATED TOWELETTE)
Examiner: Jeffrey B. Robertson) Attorney Docket No. TWI-105

DECLARATION UNDER RULE 131

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, MICHAEL A. SCHULTZ, declare:

1. That I am a co-inventor of the invention disclosed and claimed in the above-identified application;

2. That I am aware that claims 1, 2, 5-7 and 10-33 have been rejected as unpatentable;

3. That the rejection relies, in part, on the teachings of published U.S. Patent Application No. 2002/009873 A1 by Yoshikawa et al. filed on November 16, 2001;

4. That prior to November 16, 2001, in the United States of America, I together with Karen P. Glover, had conceived, prepared and successfully tested on an exterior surface of a car a moist, wax-impregnated towelette made of a substantially low-lint fabric and substantially uniformly impregnated with an aqueous silicone-based car wax emulsion that contained silicone oil, an amino functional silicone, a wax, isopropanol, a non-ionic emulsifier, a cationic emulsifier, an antistatic agent, and a silicone polyether wetting agent;

5. That Exhibit A hereto is a true copy of a specification sheet, bearing a true date prior to November 16, 2001 but with the date obliterated therefrom, for the low-lint fabric that was used to make the wax-impregnated towelette prior to November 16, 2001, namely a melt-blown polypropylene fabric obtained from Kimberly Clark;

6. That Exhibit B is a true copy of a two-page document, bearing true dates prior to November 16, 2001 but with the dates obliterated therefrom, that lists the

chemical ingredients that were used prior to November 16, 2001 to impregnate the towelette, describes the manufacturing procedure for the impregnating mixture of the chemical ingredients, and sets forth the specifications for the impregnating mixture;

7. That LAROSTAT 264A shown in Exhibit B, above, is an antistatic agent containing modified soya dimethylethyl ammonium ethosulfate;

8. That INTERMEDIATE 419 shown in Exhibit B, above, is an aqueous emulsion that contains polydimethylsiloxane (20 cstc), a silicone graft polymer with UV absorber, non-ionic emulsifiers, preservatives, and an antifoam agent;

9. That INTERMEDIATE 406 shown in Exhibit B, above, is an aqueous emulsion that contains paraffin wax containing mineral seal oil, butyl cellosolve solvent, cationic emulsifiers, aminofunctional silicones, polydimethylsiloxanes (350 cstc & 1000 cstc), glacial acetic acid, and a preservative;

10. That INTERMEDIATE 302 shown in Exhibit B, above, is a 10-weight percent aqueous emulsion of carnauba wax emulsified with a cationic emulsifier;

11. That SILWET L7602 shown in Exhibit B, above, is a silicone polyether wetting agent;

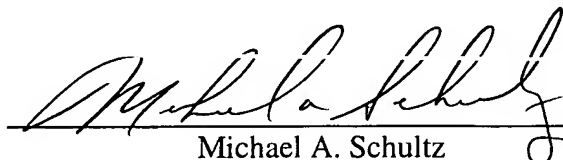
12. That SILICONE SF-1488 shown in Exhibit B, above, is a silicone polyether wetting agent;

13. That PERFUME FRESH FOREST #18703 shown in Exhibit B, above, is a fragrance; and

14. That BUSAN 77 shown in Exhibit B, above, is a preservative.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Chicago, Illinois
July 16, 2003


Michael A. Schultz

STANDARD SPECIFICATIONS Page <u>1</u> of <u>1</u>		TURTLE WAX, INC. 5655 West 73rd Street Chicago, IL 60638		ISSUED	PART NO. 1-1264-46-0		
				SUPERCEDES	REVISION NO. 1		
SUBJECT TOWLETTE SUBSTRATE: T-264 T.W. CAR WIPES				1	Usage update		
SEE ALSO T264S [a]							
ITEM MATERIAL: BASIS WEIGHT: DESCRIPTION: SIZE: #/CONTAINER:		DESCRIPTION KIMBERLY-CLARK RM-3479 MELTBLOWN SUBSTRATE 1oz./yd ² 1oz./yd ² FINE FIBER, WHITE MELTBLOWN, UNTREATED, BONDED WITH THE ERHT BOND PATTERN MATERIAL INVENTORY # 1078-00-00-00 7" x 16" 16				CHANGE = C ADD = A	
DISTRIBUTION: Refer to electronic mail copy list			REVISED BY Date R. WEBER		Document Development Coordinator Carolyn Jones-Gunter Date:		
WRITTEN BY K. SANBORN		DATE	APPROVED BY Date R.WEBER				

EXHIBIT A

PRODUCT EXPRESS SHINE WAX WIPES
 FORMULA 53/236/01
 DATE ISSUED
 REASON FOR ISSUE: CLARIFY SPECIFICATION TEST METHODS. NO CHANGE TO FORMULATION.

CHEM APPROVAL
 HK/MS APPROVAL
 SAFETY APPROVAL
 MFG APPROVAL
 FORMULN APPROVAL

ITEM NO.
 STOCK NO.
 BATCH SIZE
 WT./GAL.

PROD. NO.
 ISSUED ON
 BATCH NO.
 TANK NO.

ITEM NO.	%	CHEMICAL INGREDIENT/MATERIAL	LBS.	OZ.	GALS.	WEIGH BY	CHECK BY
3-00-03-000	3.947	1 COLD SOFT WATER	15031	8	1811		
3-50-28-190	3.000	1 ISOPROPYL ALCOHOL/IPA	480				
3-62-11-159	0.056	1 LAROSTAT 264A	8	15			
4-00-00-419	0.961	1 INTERMEDIATE 419 SILICONE 20 EMULSION FOR T-216 RAPID SHINE	153	12			
4-00-00-406	1.500	1 INTERMEDIATE 406	240				
4-00-00-302	0.028	1 INTERMEDIATE 302 10% WAX EMULSION	4	8			
3-12-19-282	0.025	1 SILWET L7602	4				
3-12-19-284	0.250	1 SILICONE SF-1488	40				
3-27-16-257	0.033	1 PERFUME FRESH FOREST #18703 (BELLE AIRE)	5	4			
3-31-02-112	0.200	1 BUSAN 77	32				
	100.000		16000				

DO NOT REPRODUCE
 WITHOUT AUTHORIZATION

EXHIBIT B

TECHNICAL AREA FORM #101

PRODUCT NAME EXPRESS SHINE WAX WIPES

FORMULA NO. 53/236/01

STOCK NO. T-264

IBM NO. _____

FLASH POINT (SETA FLASH) 142°F

DATE ISSUED _____

CAUTION SHIPPING LABEL KEEP FROM FREEZING

DATE OF PREVIOUS Rx _____

FILTRATION 50 MICRON! VERY IMPORTANT!!

REASON FOR ISSUE CLARIFICATION OF SPECIFICATION TEST METHODS. NO FORMULATION CHANGES.

FILLING NET WEIGHT 156 ± 9 GRAMS
PER UNIT PER CANNISTER

FILLING NET VOLUME 5.50 ± 0.32 OUNCES
PER UNIT 155.1 ± 8.9 ML

CLOSURE TORQUE RANGE N/A

CHEM APPROVAL
HK/MS APPROVAL
FORMULN APPROVAL
QC APPROVAL

KPB
[Signature]
[Signature]

<u>TESTS</u>		<u>TM-</u>	<u>SPECIFICATIONS</u>	
<u>FILTER SAMPLE PRIOR TO TESTING.</u>			<u>EQUAL TO FILTERED STANDARD</u>	<u>OFF-WHITE</u>
GENERAL APPEARANCE		1/2	NO PARTICULATES.	WATER THIN LIQUID
WEIGHT PER GALLON		A-3	8.28 ± 0.17	(8.11 - 8.45)
SPECIFIC GRAVITY		A-3	0.994 ± 0.020	(0.974 - 1.014)
VISCOSITY		A-4	WATERY	
1 HOUR @ 105°C SOLIDS		A-1	1.2 ± 0.3	(0.9 - 1.5)
pH (AS IS)		A-2	5.45 ± 0.5	(4.95 - 5.95)
PLATE COUNT (BACTERIA)		A-54	0 COUNT @ 48 HOURS	ZERO COUNT
LIQUID PERFORMANCE		AS PER PRODUCT USE DIRECTIONS		
POURING TEMP. (RANGE)		A-23	AMBIENT	

PRODUCT MAY BE RELEASED FOR FILTERING AND FILLING INTO TOTES AFTER ALL SPECS EXCEPT PLATE COUNT HAVE BEEN COMPLETED AND ACCEPTED.

NOTE!!! IT IS CRITICAL THAT THIS PRODUCT IS FILTERED THROUGH 50 MICRON BAG FILTER!!! FOR USE IN A WIPE PRODUCT.

NOTE!!! THIS PRODUCT MUST BE MIXED CONTINUOUSLY DURING FILLING!!!

DISTRIBUTION: .DIRECTOR R&D
.LAB FILE

.QUALITY CONTROL (2)
.PACKAGING

.PRODUCTION

**DO NOT REPRODUCE
WITHOUT AUTHORIZATION**